

# **TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**

## **March 6, 2006**

PRESENT: Tom Cowan, Chairman  
Andy Kelkenberg  
Terry Janicz  
John Olaf  
Rick Meahl  
John Potera  
Don Hoefler  
Andrew Casolini, Town Engineer  
Christine Falkowski, Recording Clerk  
Rebecca Baker, Zoning Officer

The Planning Board meeting was called to order by Tom Cowan at 7:30PM.

### **3-Lot Minor Subdivision – Swift Mills Road – Kathleen Mika, Executrix**

Three representatives attended. This 9.86 acre parcel has a single family home on the east end and it will be a 2.35 acre lot, for which they already have a buyer. One of the lots is 3.21 acres and contains a pond that shows up as Federal wetlands on our wetlands map. This parcel is mostly flat. If lots are swaled to rear property line, where will the water go from there? If swaled to the road, Erie County Highway would need to clean the road ditch in order for it to flow. There appears to be a ditch just off the west property line coming from the south. Where does it drain to? Andrew will check two-foot contours and surveys from Water District #10 to find it prior to the Planning Board's public hearing on March 20<sup>th</sup>.

### **8-Lot Major Subdivision – Berghorn Road**

The final plot plan was reviewed. Andy made a motion to recommend approval of this particular plan, seconded by Terry:

Rick Meahl	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye
Don Hoefler	-Aye
Tom Cowan	-Aye

### **Preapplication Conference – Site Plan Amendment – McDonald's**

Randy Bebout of FRA Engineering appeared. McDonald's will be making some interior renovations such as changing floor tiles in the bathroom, fixing seatbacks, and minor changes in the kitchen. They also wish to install bright yellow fabric exterior awnings over the windows to block incoming sunlight for customer comfort.

The issue of the muddy, unsightly mess of the Buell Street entrance was raised. Letters were sent to the owner, Enrico Franciani, in June and September 2005, and a meeting was finally held with him on October 20, 2005. The curbing on the south side of the entrance is short by 45'. The ruts are caused by water and vehicles. Andrew wants them to consider installing a field drain, and Mr. Franciani wants to pave a wider area covering the muddy section, which Andrew feels will bring more water onto the blacktop. This issue was relayed to Mr. Bebout and it was agreed that the drainage would be addressed at the next meeting on March 20<sup>th</sup>.

### **Minutes Review**

Rick motioned to approve the minutes of February 27, 2006, as amended, seconded by Don:

Rick Meahl	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye
Don Hoefler	-Aye
Tom Cowan	-Aye

**Special Events Permits vs. Roadside Stands**

A memo to the Supervisor will be prepared relaying the information provided by the NYS DOT, and this item will be removed from agenda.

**Outdoor Wood Boilers (OWB's)**

It is believed that OWB's have been around 10 – 12 years, and that higher fuel costs are making them popular. Although, it is believed that in reality they are not more efficient, especially if one must purchase wood to burn. Do we want to regulate them via special use permit, or create guidelines to use if we need to respond to a complaint? Becky will check into the cost for a higher stack. Tom will draft a memo to the Town Board asking if they want us to look at potential legislation.

**Shared Driveways**

Our Code allows two homes on one lot given 90,000 SF of land. An easement would make a shared driveway OK. Becky will send a memo to the Town Board suggesting they amend Section 100-8(A).

**Condominiums**

Nothing now.

**Route 5 Rezoning**

Copies of the zoning code showing the cross-outs of proposed use changes were sent to each member, and they will continue to review them.

**Special Use Permits in RA Zone**

Nothing now.

**Windmills**

The moratorium expires in August 2006. Status?

**Other**

- Flags and banners are not allowed in our Overlay Zone. Becky will check for flags at Jack Hayes and Steve Baldo and review at next meeting.
- The selling of vehicles at the southeast corner of Main and Crittenden is OK. Becky will visit to check on up-to-date dealer's license.

John P. made a motion to adjourn the meeting at 9:40PM, seconded by Terry and all approved.

Respectfully submitted,

Christine Falkowski  
Recording Clerk